

fled the action of the Mineral Wells convention endorsing majority plan of prison relocating committee and ask the support of the Senators and Representatives from this district.

Executive Board First District
Texas Federation Women's Clubs.

(Telegram.)

Dallas, Texas, Feb. 26, 1930.
Thos. B. Love, Austin, Texas.

Oppose vigorously unjust discriminating burdensome House Bill No. 18.

WEST PARK PHARMACY,
B. B. BROWN.

(Telegram.)

Shiner, Texas, Feb. 26, 1930.
Hon. Gus Russek, Austin, Texas.

Please assist to defeat House Bill 18 introduced by Representative Harper.

KUHN'S DRUG STORE.

(Telegram.)

Cisco, Texas, Feb. 25, 1930.
House of the Senate, Austin, Texas.

May we urge you to help beat the nuisance tax bill number 18 now up in the House of Representatives? This is unjust and discriminatory to the trade. We are for the schools and it is not the tax but the method in which it is to be handled.

Yours very truly,

C. W. LOWERY,
Red Front Drug Store.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, Feb. 25, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 5 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Feb. 26, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 14, A bill to be entitled
"An Act amending certain sections

of Chapter 282 of the General and Special Laws of the Regular Session of the Forty-first Legislature and repealing Sections 2 and 15 of said Chapter 282 so as to better provide for the disposition of oil and gas in University lands; providing better means and regulations to accomplish said purpose; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 13, A bill to be entitled
"An Act conferring upon the Board of Regents of the University of Texas authority heretofore vesting in the Board for Lease of University Lands under Section 2 and 15 of Chapter 282 of the General and Special Laws of the Regular Session of the Forty-first Legislature and also conferring on said Board of Regents certain authority in connection with employing help needed in connection with matters covered by said Chapter 282 and under this Act; making an appropriation of certain moneys to be used in performance of duties under this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

FIFTH DAY.

Senate Chamber,
Austin, Texas,
February 27, 1930.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem Williamson.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Cousins.
Berkeley.	Cunningham.

Gainer.	Patton.
Hardin.	Pollard.
Holbrook.	Russek.
Hornsby.	Small.
Hyer.	Thomason.
Love.	Westbrook.
Martin.	Williamson.
McFarlane.	Wirtz.
Miller.	Witt.
Moore.	Woodul.
Neal.	Woodward.
Parrish.	

Absent—Excused.

DeBerry.	Parr.
Greer.	Stevenson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Woodward:

S. B. No. 15, A bill to be entitled "An Act amending Chapter 12 of the Acts of the First Called Session of the Fortieth Legislature of the State of Texas of 1927, relating to the organization of the Fifty-first Judicial District of the State of Texas; reorganizing the same, naming the counties constituting the same and fixing the terms of court to be held in the several counties therein; amending Chapter 36 of the Acts of the Regular Session of the Thirty-ninth Legislature of the State of Texas, relating to the organization of the Thirty-fifth Judicial District of the State of Texas, etc."

Read first time and referred to Committee on Judicial Districts.

By Senators Woodward, Wirtz and Parrish:

S. B. No. 16, A bill to be entitled "An Act granting certain rights of eminent domain to water improvement districts, authorizing each district to acquire by condemnation the fee simple title, easement or right-of-way in, over or through any and all lands for any of its necessary and

authorized purposes, except lands used for cemetery purposes, and lands used for supplying water under the laws of the State, etc."

Read first time and referred to Committee on Mining, Irrigation and Drainage.

By Senator Woodul:

S. B. No. 17, A bill to be entitled "An Act creating an additional district court for Harris County; defining its jurisdiction; adjusting the business of the existing district courts to the business thereof; prescribing the duties of the district clerk with respect thereto and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Holbrook:

S. B. No. 18, A bill to be entitled "An Act authorizing certain cities and counties, or either of them, to acquire property within any incorporated city to be used for hospital purposes, and authorizing such cities and counties to donate same to the State of Texas for hospital purposes, and declaring an emergency."

Read first time and referred to Committee on Privileges and Elections.

By Senator Small:

S. B. No. 19, A bill to be entitled "An Act to authorize the county board of trustees of any county in this State to incorporate a common school district into an independent school district for school purposes only upon petition of a majority of the legally qualified property tax paying voters residing in the territory affected; providing for the appointment and election of trustees for such incorporated districts; validating all school districts, including independent school districts heretofore incorporated under the provisions of Section 5, Chapter 84, General Laws, First Called Session, Fortieth Legislature, 1927, and all other school districts; also the acts of the county boards of trustees and the acts of the boards of trustees in such school districts, and all bonds issued by such districts, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

Senators Excused.

On motion of Senator McFarlane, Senators Greer, DeBerry and Parr were excused for the day on account of important business.

On motion of Senator Beck, Senator Stevenson was excused for the day on account of important business.

Executive Session Set.

On motion of Senator Woodward, the Senate voted to go into Executive Session tomorrow morning at 11:55 o'clock.

S. C. R. No. 2.

Senator Pollard sent up the following resolution:

Whereas, The Business and Professional Women's Clubs of the State of Texas are doing much for the advancement and promotion of business and professional women, and also for the advancement of all forms of activity of our government; and,

Whereas, The National Business and Professional Women's Club has proclaimed the week beginning March 10 and ending March 16, 1930, as Business and Professional Women's Week; now, therefore, be it

Resolved by the Senate of Texas, and the House of Representatives concurring, that the week beginning March 10 and ending March 16, 1930, be and the same is hereby declared to be Business and Professional Women's Week in the State of Texas.

POLLARD,
NEAL.

Read and adopted.

State Highway Patrol Visits.

At 11:10 o'clock, Senator Williamson introduced the members of the State Highway Patrol, including Miss Grace Fowler, mascot, and Mr. C. G. Phares, head of the patrol.

Senate Bill No. 2.

The question recurred on the motion to reconsider the vote by which S. B. No. 2 failed to pass to engrossment.

Senator Witt moved to table the motion to reconsider.

Senator Wirtz raised the point of order that the motion to table was

out of order because the previous question had been ordered on the engrossment of the bill and the motion to reconsider would also come within the motion for previous question.

The Chair sustained the point of order.

Senator Pollard moved to reconsider the vote by which the previous question was ordered. The motion was lost by the following vote:

Yeas—10.

Berkeley.	Miller.
Cousins.	Patton.
Cunningham.	Pollard.
Martin.	Small.
McFarlane.	Wirtz.

Nays—13.

Beck.	Moore.
Gainer.	Parrish.
Hardin.	Williamson.
Holbrook.	Witt.
Hornsby.	Woodul.
Hyer.	Woodward.
Love.	

(Pairs Recorded.)

Senator Neal (present) who would vote nay, with Senator DeBerry (absent) who would vote yea.

Senator Russek (present) who would vote yea, with Senator Stevenson (absent) who would vote nay.

Senator Thomason (present) who would vote nay, with Senator Parr (absent) who would vote yea.

Senator Westbrook (present) who would vote nay, with Senator Greer (absent) who would vote yea.

The motion to reconsider was lost by the following vote:

Yeas—9.

Berkeley.	Patton.
Cunningham.	Pollard.
Martin.	Small.
McFarlane.	Wirtz.
Miller.	

Nays—13.

Beck.	Parrish.
Gainer.	Westbrook.
Hardin.	Williamson.
Holbrook.	Witt.
Hornsby.	Woodul.
Hyer.	Woodward.
Love.	

Absent.

Cousins.

(Pairs Recorded.)

Senator Moore (present) who would vote nay, with Senator Greer (absent) who would vote yea.

Senator Neal (present) who would vote nay, with Senator DeBerry (absent) who would vote yea.

Senator Russek (present) who would vote yea, with Senator Stevenson (absent) who would vote nay.

Senator Thomason (present) who would vote nay, with Senator Parr (absent) who would vote yea.

Senate Bill No. 8.

The Chair laid before the Senate the following bill:

By Senator Beck:

S. B. No. 8, A bill to be entitled "An Act providing for the reorganization of the penitentiary of the State of Texas; for the purchase of lands therefor; for construction of a central prison unit; providing for the disposition of the present penitentiary properties at Huntsville, Texas, and of certain of the farms now owned by the prison system; creating a Special Commission to select a proper site for the central prison unit, and defining the powers of said commission; providing for the manufacturing and supplying to the Board of Control of merchandise and supplies for State use by the prison system; authorizing and directing the State Board of Control and the State Highway Commission to purchase from the State Prison Board certain materials, supplies and labor needed for State use; for the proper hospitalization and segregation of the inmates of the penitentiary; and providing for the construction of a female unit, and making an appropriation to carry out the provisions of this Act; and declaring an emergency."

Senator Pollard made the following point of order:

Before the caption was read, Senator Pollard raised the point of order that S. B. No. 8 in its identical form was offered as a substitute to S. B. No. 2, and that the Senate failed to adopt S. B. No. 8 as a substitute for S. B. No. 2, and that S. B. No. 2 failed to be engrossed by the Senate, and by reason thereof, S. B. No. 8 could not be considered by the Senate for the reason that:

Section 34 of Article 3 of the

Texas Constitution provides that after a bill has been considered and defeated by either House of the Legislature, no bill containing the same substance shall be passed into a law during the same session.

That the rules of the Senate provide that, after a bill has been considered and defeated by either House of the Legislature, no bill containing the same substance shall be passed into a law during the same session.

That the rules of the House of Representatives provide that, after a bill has been considered and defeated by either House of the Legislature, no bill containing the same substance shall be passed into a law during the same session.

The point of order was overruled by the President of the Senate, after which S. B. No. 8 was placed on its second reading.

Senator Beck sent up the following amendment:

Amendment No. 1.

Amend S. B. No. 8, page 2, Section 1, line 4, by striking out after the word "system" the words "within ten miles of the Capital of Texas."

BECK.

The amendment was read.

Senator Wirtz sent up the following substitute for the amendment:

Amendment No. 2.

Amend S. B. No. 8, page 2, by striking out of lines 4 and 5 the words "within ten miles of the Capitol of Texas" and in lieu thereof insert the following:

"on any of the properties now owned by the Texas Prison System."

WIRTZ.

The substitute was read.

Senator Witt moved to table the substitute. The motion prevailed by the following vote:

Yeas—13.

Beck.	Moore.
Gainer.	Parrish.
Hardin.	Williamson.
Holbrook.	Witt.
Hornsby.	Woodul.
Hyer.	Woodward.
Love.	

Nays—10.

Berkeley.	Miller.
Cousins.	Patton.
Cunningham.	Pollard.
Martin.	Small.
McFarlane.	Wirtz.

Absent.

Hornsby.	Westbrook.
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Absent—Excused.

Greer.

(Pairs Recorded.)

Senator Neal (present) who would vote yea, with Senator DeBerry (absent) who would vote nay.

Senator Russek (present) who would vote nay, with Senator Stevenson (absent) who would vote yea.

Senator Thomason (present) who would vote yea, with Senator Parr (absent) who would vote nay.

Senator Wirtz sent up the following substitute for the amendment:

Amend S. B. No. 8, page 2, by striking out of lines 4 and 5 the words "within ten miles of the Capitol of Texas" and in lieu thereof insert the following:

"within twenty-five miles of any incorporated city having a population of not less than eighteen thousand, nor more than one hundred thousand inhabitants, according to the last United States census."

WIRTZ.

The substitute was read.

Senator Beck moved to table the substitute. The motion was lost by the following vote:

Yeas—11.

Beck.	Parrish.
Gainer.	Westbrook.
Hardin.	Witt.
Holbrook.	Woodward.
Hyer.	Woodul.
Moore.	

Nays—13.

Berkeley.	Miller.
Cousins.	Patton.
Cunningham.	Pollard.
Hornsby.	Russek.
Love.	Small.
Martin.	Wirtz.
McFarlane.	

Absent—Excused.

Greer.	Williamson.
Stevenson.	

(Pairs Recorded.)

Senator Neal (present) who would vote yea, with Senator DeBerry (absent) who would vote nay.

Senator Thomason (present) who would vote yea, with Senator Parr (absent) who would vote nay.

Senator Witt sent up the following amendment to the substitute:

Amend the substitute by adding the word "approximately" before the words and figures, "25 miles."

WITT.

The amendment was read and adopted.

Senator Wirtz sent up the following amendment to the substitute:

Amend the substitute by striking out the words "not more than 100,000 inhabitants."

WIRTZ.

Read and adopted.

The substitute as amended was adopted.

The amendment as substituted was adopted.

Senator Beck sent up the following amendments:

Amendment No. 2.

Amend S. B. No. 8, page 2, Section 2, line 15, by striking out after the word "land" the following: "which shall be located not more than ten miles from the Capital of Texas."

BECK.

Read and adopted.

Amendment No. 3.

Amend S. B. No. 8, page 8, Section 22, line 31, by striking out the words: "Near Austin, Texas."

BECK.

Read and adopted.

Amendment No. 4.

Amend S. B. No. 8, page 2, line 7: Strike out "The President of the Senate" and substitute therefor, "The Lieutenant Governor."

BECK.

Read and adopted.

Senator Parrish sent up the following amendment:

Amend S. B. No. 8 by adding after the word "system", line 4, page 2, the following:

"in Bell, Hill, or McLennan Counties by a board to consist of three members of the Senate to be selected

by the Lieutenant Governor and 4 members of the House to be selected by the Speaker of the House, who shall act as a locating committee for said unit on land located in the above counties, and all provisions in said bill and caption in conflict with this amendment are to be stricken out to conform to this amendment."

PARRISH.

The amendment was read.

Senator Witt raised the point of order that the amendment was out of order because the language was too general.

The Chair, Senator Woodward, sustained the point of order.

Senator Love sent up the following amendment:

Amend S. B. No. 8 by amending Section 11 thereof to read as follows:

The Prison Board is also directed to construct on the Wynne Farm a new modern fire-proof prison plant, which shall have fire-proof buildings and all needed hospital and sanitary equipment; and shall be equipped with the necessary modern machinery for the manufacture of clothing and such other commodities as are used in the Prison System and the State eleemosynary institutions, and for all the purposes set forth in this Act.

LOVE.

Read and adopted.

Senator Miller sent up the following amendment:

Amend S. B. No. 8 by striking out Section 22 and renumbering accordingly.

MILLER.

The amendment was read.

Senator Love sent up the following substitute for the amendment:

Amend S. B. No. 8 by amending Section 22 so as to read as follows:

Sec. 22. The sum of Five Hundred Thousand (\$500,000.00) Dollars is hereby appropriated out of the General Revenue for the remainder of the fiscal year ending August 31, 1930, and the sum of One Million (\$1,000,000.00) Dollars is hereby appropriated for the fiscal year ending August 31, 1931, each of which said appropriations shall be available to the Texas Prison Board for expenditures of which said monies so appropriated; Five Hundred Thousand (\$500,000.00) Dollars is for the construction of the Central

Unit, and Five Hundred Thousand (\$500,000.00) Dollars for the Central farm unit, and Five Hundred Thousand (\$500,000.00) Dollars for the construction and equipment of the new prison plant on the Wynne farm near Huntsville. It is intended that the expenditure of monies herein appropriated for the construction of the Industrial and Agricultural, and for the new prison plant on the Wynne Farm near Huntsville, shall be concurrent.

LOVE.

The substitute was read and adopted by the following vote:

Yeas—17.

Beck.	Neal.
Berkeley.	Parrish.
Gainer.	Thomason.
Hardin.	Westbrook.
Holbrook.	Williamson.
Hornsby.	Witt.
Hyer.	Woodul.
Love.	Woodward.
Moore.	

Nays—9.

Cousins.	Patton.
Cunningham.	Pollard.
Martin.	Russek.
McFarlane.	Wirtz.
Miller.	

Present—Not Voting.

Small.

Absent—Excused.

DeBerry.	Parr.
Greer.	Stevenson.

Senator Pollard sent up the following substitute for the amendment as substituted:

Amend S. B. No. 8 by adding Section 22a as follows:

"The sum of \$500,000.00 is hereby appropriated out of the general revenue for operating and maintaining of the penitentiary system for the year 1930 and \$500,000.00 for the year 1931."

POLLARD.

The substitute was read.

Senator Witt moved to table the substitute.

The motion prevailed by the following vote:

Yeas—17.

Beck.	Moore.
Berkeley.	Neal.
Cunningham.	Thomason.
Gainer.	Westbrook.
Hardin.	Williamson.
Holbrook.	Witt.
Hornsby.	Woodul.
Hyer.	Woodward.
Love.	

Nays—9.

Cousins.	Pollard.
Martin.	Russek.
McFarlane.	Small.
Miller.	Wirtz.
Patton.	

Absent.

Parrish.

Absent—Excused.

DeBerry.	Parr.
Greer.	Stevenson.

Senator Wirtz sent up the following amendment to the amendment as substituted:

Amend the amendment as substituted by striking out all of lines 3, 4, and 5 reading as follows, "It is intended that the expenditure of monies herein appropriated for the construction of the industrial and agricultural, and for the new prison plant on the Wynne Farm near Huntsville, shall be concurrent," and in lieu thereof insert the following:

"None of the monies herein appropriated shall be used for the construction of the 'central unit' until and unless the other appropriations herein provided in this bill are made available and the improvements herein provided to be made on the central farm unit and the new prison plant on the Wynne Farm near Huntsville are made concurrently with the purchase and construction of said central unit."

WIRTZ.

Read and adopted.

The amendment as substituted and amended was adopted.

Senator Parrish sent up the following amendment:

Amend S. B. No. 8 by adding after the word "System," page 2, line 4, the following: "in Bell, Hill or McLellan Counties and a Prison Com-

mission composed of three members of the Senate to be selected by the Lieutenant Governor and four members of the House to be selected by the Speaker of the House" and to strike out all after the word "System," in line 4 down to the word "when" in line 9, page 2.

PARRISH.

Senator Holbrook moved the previous question on the amendment and the engrossment of the bill. The motion prevailed by the following vote:

Yeas—14.

Beck.	Neal.
Gainer.	Pollard.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hyer.	Witt.
Love.	Woodul.
Moore.	Woodward.

Nays—13.

Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Russek.
Hornsby.	Small.
Martin.	Williamson.
McFarlane.	Wirtz.
Miller.	

Absent—Excused.

DeBerry.	Parr.
Greer.	Stevenson.

Senator Pollard moved to reconsider the vote by which the previous question was ordered. The motion was lost by the following vote:

Yeas—12.

Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
Martin.	Russek.
McFarlane.	Small.
Miller.	Wirtz.

Nays—15.

Beck.	Neal.
Gainer.	Thomason.
Hardin.	Westbrook.
Holbrook.	Williamson.
Hornsby.	Witt.
Hyer.	Woodul.
Love.	Woodward.
Moore.	

Absent—Excused.

DeBerry.	Parr.
Greer.	Stevenson.

The amendment was read.

Senator Witt raised the point of order that the amendment was drawn in vague and general language and was not germane to the bill.

The Chair, Senator Woodward, overruled the point of order.

Senator Witt moved to table the amendment. The Chair held the motion out of order.

Recess.

On motion of Senator Wirtz, the Senate, at 12:10 o'clock, recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by President Pro Tem Williamson.

Point of No Quorum.

Senator McFarlane raised the point of order that a quorum was lacking. The roll call showed 18 present.

Senator Pollard moved a call of the Senate for the purpose of obtaining and maintaining a quorum until S. B. No. 8 was disposed of. The motion prevailed.

The quorum was completed at 2:10.

The pending amendment was lost by the following vote:

Yeas—5.

McFarlane.	Russek.
Parrish.	Wirtz.
Pollard.	

Nays—19.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Small.
Gainer.	Thomason.
Holbrook.	Williamson.
Hornsby.	Witt.
Hyer.	Woodul.
Love.	Woodward.
Martin.	

Absent.

Hardin.	Westbrook.
Patton.	

Absent—Excused.

DeBerry.	Parr.
Greer.	Stevenson.

The bill as amended passed to engrossment by the following vote:

Yeas—11.

Beck.	Moore.
Gainer.	Williamson.
Holbrook.	Witt.
Hornsby.	Woodul.
Hyer.	Woodward.
Love.	

Nays—9.

Berkeley.	Parrish.
Cousins.	Russek.
Cunningham.	Small.
Martin.	Wirtz.
McFarlane.	

Absent.

Hardin.	Patton.
Miller.	

Absent—Excused.

Greer.	Stevenson.
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(Pairs Recorded.)

Senator Neal (present) who would vote yea, with Senator DeBerry (absent) who would vote nay.

Senator Pollard (present) who would vote nay with Senator Westbrook (absent) who would vote yea.

Senator Thomason (present) who would vote yea, with Senator Parr (absent) who would vote nay.

On motion of Senator Witt the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 8 was put on its third reading and final passage by the following vote:

Yeas—21.

Beck.	Neal.
Berkeley.	Pollard.
Cunningham.	Russek.
Gainer.	Small.
Hardin.	Thomason.
Holbrook.	Williamson.
Hornsby.	Wirtz.
Hyer.	Witt.
Love.	Woodul.
Martin.	Woodward.
Moore.	

Nays—3.

Cousins.	Parrish.
McFarlane.	

Absent.

Miller.	Westbrook.
Patton.	

Absent—Excused.

DeBerry. Parr.
Greer. Stevenson.

Read third time and finally passed
by the following vote:

Yeas—12.

Berkeley. Love.
Gainer. Moore.
Hardin. Williamson.
Holbrook. Witt.
Hornsby. Woodul.
Hyer. Woodward.

Nays—8.

Cousins. Miller.
Cunningham. Parrish.
Martin. Small.
McFarlane. Wirtz.

Absent—Excused.

Greer.

(Pairs Recorded.)

Senator Beck (present) who would
vote yea, with Senator Patton (ab-
sent) who would vote nay.

Senator Neal (present) who would
vote yea, with Senator DeBerry (ab-
sent) who would vote nay.

Senator Pollard (present) who
would vote nay, with Senator West-
brook (absent) who would vote yea.

Senator Russek (present) who
would vote nay, with Senator Steven-
son (absent) who would vote yea.

Senator Thomason (present) who
would vote yea, with Senator Parr
(absent) who would vote nay.

Senate Bill No. 10.

The Chair laid before the Senate
on its second reading the following
bill:

By Senator Woodward:

S. B. No. 10, A bill to be entitled
"An Act to amend Chapter 81 of the
General Laws of the State of Texas,
passed by the Fourth Called Session
of the Thirty-fifth Legislature, ap-
proved April 3, 1918, creating the
Commission of Appeals of the State
of Texas, as amended by Chapter 34
of the General Laws of the State of
Texas, passed by the Second Called
Session of the Thirty-sixth Legisla-
ture, approved July 25, 1919, etc.;
and declaring an emergency."

The bill was read second time and
passed to engrossment.

On motion of Senator Witt the
constitutional rule requiring bills to
be read on three several days was
suspended and S. B. No. 10 was put
on its third reading and final pas-
sage by the following vote:

Yeas—27.

Beck. Parr.
Berkeley. Parrish.
Cunningham. Patton.
Gainer. Pollard.
Hardin. Russek.
Holbrook. Small.
Hornsby. Thomason.
Hyer. Westbrook.
Love. Williamson.
Martin. Wirtz.
McFarlane. Witt.
Moore. Woodul.
Neal. Woodward.

Absent.

Miller.

Absent—Excused.

Cousins. Greer.
DeBerry. Stevenson.

Read third time and finally passed
by the following vote:

Yeas—24.

Beck. Parrish.
Berkeley. Patton.
Cunningham. Pollard.
Gainer. Russek.
Hardin. Small.
Holbrook. Thomason.
Hornsby. Westbrook.
Love. Williamson.
Martin. Wirtz.
McFarlane. Witt.
Moore. Woodul.
Neal. Woodward.

Nays—1.

Hyer.

Absent.

Miller.

Absent—Excused.

Cousins. Parr.
DeBerry. Stevenson.
Greer.

S. C. R. No. 3.

Senator Patton sent up the follow-
ing resolution:

Be It Resolved by the Senate of Texas, the House of Representatives Concurring, That the Board of Control be authorized to use the appropriation made at the Second Called Session of the Forty-first Legislature for the removal of the body of Kenneth L. Anderson, for the erection of a monument at his grave in Anderson, Grimes County, Texas.

PATTON.

Read and adopted.

Senate Bill No. 13.

The Chair laid before the Senate the following bill:

By Senator Russek:

S. B. No. 13, A bill to be entitled "An Act conferring upon the Board of Regents of the University of Texas authority heretofore vested in the Board for Lease of University Lands under Sections 2 and 15 of Chapter 282 of the General and Special Laws of the Regular Session of the Forty-first Legislature and also conferring on said Board of Regents certain authority in connection with employing help needed in connection with matters covered by said Chapter 282 and under this Act; making an appropriation of certain moneys to be used in the performance of duties under this Act; and declaring an emergency."

The rule requiring bills to lie on the desks 24 hours was suspended by a two-thirds vote.

The bill was read second time.

Senator McFarlane sent up the following amendment:

Amend S. B. No. 13 by striking out Section 3 and amend caption to conform.

McFARLANE.

Read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Russek the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 13 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Hardin.
Berkeley.	Holbrook.
Cousins.	Hornsby.
Cunningham.	Hyer.
Gainer.	Love.

Martin.	Small.
McFarlane.	Thomason.
Miller.	Westbrook.
Moore.	Williamson.
Neal.	Wirtz.
Parrish.	Witt.
Patton.	Woodul.
Pollard.	Woodward.
Russek.	

Absent—Excused.

DeBerry.	Parr.
Greer.	Stevenson.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Neal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

DeBerry.	Parr.
Greer.	Stevenson.

Senate Bill No. 11.

The Chair laid before the Senate on second reading the following bill:

By Senator Small:

S. B. No. 11, A bill to be entitled "An Act to create the 113th Judicial District of Texas and to give such court concurrent jurisdiction with the District Court of Gray County, Texas, in and for the 31st Judicial District of Texas, and concurrent jurisdiction with the District Court of Hutchinson and Carson Counties, in and for the 84th Judicial District of Texas, in all civil and criminal cases; to provide a clerk for said courts and the transfer to said 113th District Court of certain cases now pending in the 31st Judicial District Court in and for Gray County, Texas, and the 84th Judicial District Court in and for Hutchinson and Carson Counties, Texas; to designate the character of cases to be filed in said court after its organization; etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 11 was put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

DeBerry.	Stevenson.
Parr.	

Read third time and finally passed by the following vote:

Yeas—25.

Beck.	Neal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Russek.
Gainer.	Small.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Moore.	

Nays—2.

Miller.	Pollard.
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Absent—Excused.

DeBerry.	Parr.
Greer.	Stevenson.

Senate Bill No. 18.

The Chair laid before the Senate the following bill:

By Senator Holbrook:

S. B. No. 18, A bill to be entitled "An Act authorizing certain cities and counties, or either of them, to

acquire property within any incorporated city to be used for hospital purposes, and authorizing such cities and counties to donate same to the State of Texas for hospital purposes and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended by a two-thirds vote.

The committee report was adopted.

On motion of Senator Holbrook the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 18 was put on its second reading by the following vote:

Yeas—25.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Russek.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
Martin.	Woodul.
McFarlane.	Woodward.
Miller.	

Nays—2.

Pollard.	Small.
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Absent—Excused.

DeBerry.	Parr.
Greer.	Stevenson.

The bill was read second time and passed to engrossment.

On motion of Senator Holbrook the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 18 was put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Neal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

DeBerry. Parr.
Greer. Stevenson.

Read third time and finally passed
by the following vote:

Yeas—27.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Hardin.	Russek.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent.

Small.

Absent—Excused.

DeBerry. Parr.
Greer. Stevenson.

Motion to Adjourn.

Senator Pollard moved to adjourn
until 10 o'clock Monday morning.
The motion was lost.

Senators Excused.

On motion of Senator Moore, Sen-
ator Pollard was excused for the re-
mainder of the day on account of
important business.

Adjournment.

Senator Wirtz moved to adjourn
until Monday morning at 10 o'clock.
The motion prevailed by the follow-
ing vote:

Yeas—16.

Beck.	Pollard.
Cousins.	Russek.
Cunningham.	Small.
Hardin.	Thomason.
Hyer.	Westbrook.
Martin.	Wirtz.
Miller.	Witt.
Moore.	Woodul.

Nays—9.

Berkeley.	Hornsby.
Gainer.	Love.

McFarlane.	Williamson.
Neal.	Woodward.
Parrish.	

Absent.

Holbrook.	Patton.
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Absent—Excused.

DeBerry.	Parr.
Greer.	Stevenson.

At 3:30 o'clock, the Senate ad-
journed.

APPENDIX.**Committee Reports.**

Committee Room,
Austin, Texas, Feb. 27, 1930.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on Ju-
dicial Districts, to whom was re-
ferred.

S. B. No. 17, A bill to be entitled
"An Act creating an additional dis-
trict court for Harris County; defin-
ing its jurisdiction; adjusting the
business of the existing district
courts to the business thereof; pre-
scribing the duties of the district
clerk with respect thereto and de-
claring an emergency."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass and
be not printed.

HARDIN, Vice-Chairman.

Committee Room,
Austin, Texas, Feb. 26, 1930.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on Priv-
ileges and Elections, to whom was
referred

S. B. No. 18, A bill to be entitled
"An Act authorizing certain cities
and counties, or either of them, to
acquire property within any incor-
porated city to be used for hospital
purposes, and authorizing such cities
and counties to donate same to the
State of Texas for hospital purposes,
and declaring an emergency."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass, and
be not printed.

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, Feb. 27, 1930.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on State Penitentiaries, to whom was referred H. B. No. 1, A bill to be entitled "An Act to amend Section 3 of Chapter 212, Acts Regular Session Fortieth Legislature, so as to create the Texas Prison Board composed of three members, providing for the appointment of the members of the Board, prescribing certain qualifications of such appointees, fixing the term of office, providing for the filling of vacancies which may occur, abolishing present Board of nine members, repealing all laws in conflict with this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal.

McFARLANE, Chairman.

By Metcalfe, Petsch. H. B. No. 1.

A BILL

To Be Entitled

An Act to amend Section 3 of Chapter 212, Acts, Regular Session, Fortieth Legislature, so as to create the Texas Prison Board composed of three members, providing for the appointment of the members of the board prescribing certain qualifications of such appointees, fixing the term of office, providing for the filling of vacancies which may occur, abolishing present board of nine members, repealing all laws in conflict with this Act; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 3 of Chapter 212, General and Special Laws, Fortieth Legislature, Regular Session, be amended so as to hereafter read as follows:

"Sec. 3. There is hereby created the Texas Prison Board, which shall be composed of three members to be appointed by the Governor with the advice and consent of the Senate, such appointments shall be made bi-annually or on or before February 15th. Each member of said board shall be a State officer within the

meaning of the Constitution, and before entering upon the discharge of his duties shall take the constitutional oath of office. The term of office of each member shall be six years, except that in making the first appointments the Governor shall appoint one member for a term of two years, one member for a term of four years, and one member for a term of six years, so that the terms of each member shall expire every two years. Vacancies occurring in the board shall be filled by appointment of the Governor for the unexpired term."

Sec. 2. The present Prison Board of nine members is hereby abolished upon the taking effect of this Act.

Sec. 3. All laws and parts of laws in conflict with this Act are hereby expressly repealed.

Sec. 4. The fact that the administration of the affairs of the penitentiary can better be administered by a prison board composed of three members, and that it is to the interest of the State to have such board created at the earliest time possible, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage and it is so enacted.

SIXTH DAY.

Senate Chamber,
Austin, Texas,

Monday, March 3, 1930,

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Martin.
Berkeley.	McFarlane.
Cunningham.	Miller.
DeBerry.	Moore.
Gainer.	Neal.
Greer.	Parr.
Holbrook.	Parrish.
Hornsby.	Patton.
Hyer.	Russek.
Love.	Small.